



PATENT
Customer No. 22,852
Attorney Docket No. 05725.0993-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sandrine DECOSTER et al.

Application No.: 10/018,769

Filed: December 21, 2001

For: COMPOSITION CONTAINING
AN OPACIFIER OR
PEARLESCENT AGENT AND AT
LEAST TWO FATTY ALCOHOLS

)
)
) Group Art Unit: 1617
)
) Examiner: Gina C. Yu
)
)
) Confirmation No.: 2464
)
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. § 1.132

I, Sandrine Decoster do hereby make the following declaration:

1. I am a French citizen, residing at 20, avenue Ernst Renan, F-95210 Saint Gratien, France.
2. I have been awarded Hautes Etudes Industrielles (HEI) Engineer.
3. I have been employed by L'ORÉAL since 1991 and currently hold the position of Head of Haircare Development - France.
4. I understand the rejections made in the Final Office Action mailed October 29, 2007, in Application No. 10/018,769.

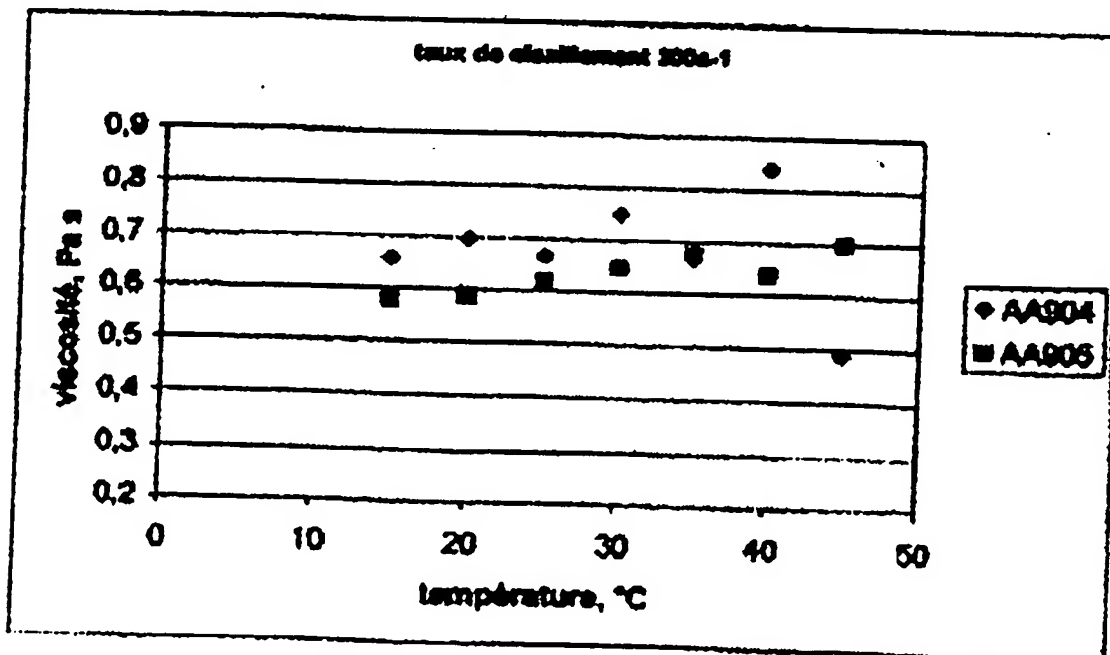
Application No.: 10/018,769
Attorney Docket No.: 05725.0993-00000

5. Given my education and experience, particularly in the area of hair conditioning, I consider myself able to provide the following testimony based on experiments conducted by me or under my supervision:



COMPARATIVE TEST

	AA 904 C18/C22=0.085 C18+C22=3.3	AA 905 (Invention) C18/C22=0.19 C18+C22=3.3
lauryl ether sulfate de sodium oxyethylene à 2.2 moles d'OE à 70%MA	20 g (14% MA)	20 g (14% MA)
Sodium N-cocoyl amidoethyl, N-ethoxycarboxymethyl glycinate sodium à 39%MA	10.25 g (4% MA)	10.25 g (4% MA)
sodium octearyl sulfate	0.75 g	0.75 g
Stearyl alcohol 10 OE	0.80 g	0.80 g
Distearylether	4.0 g	4.0 g
beheryl alcohol	3.04 g	2.77 g
Stearyl alcohol	0.26 g	0.53 g
hydroxypropyl guar trimethyl ammonium chloride	0.2 g	0.2 g
Dimethicone	2.6 g	2.6 g
Preservatives	qs	qs
Water QSP	100 g	100 g
Citric acid QSP	pH = 5	pH = 5



The viscosity of the compositions is measured using a VT 550 Viscotester sold by Rheo at a shear rate of 300 s⁻¹ and at several temperatures.

Composition AA 904 is a comparative composition, whose ratio of C18:C22 fatty acids (0.085) is outside Applicants' claimed range. Composition AA 905 has a ratio of C18:C22 fatty acids (0.19) that is in accordance with Applicants' claimed invention. The viscosity of Composition AA 905 was observed to be less temperature-dependent than comparative Composition AA 904

6. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: ~~July~~, 2008

September 03, 2008

By: _____

S. JEWSTER

A handwritten signature in cursive script, appearing to read 'S. Jewster', is written over a horizontal line. Below the signature is a large, stylized checkmark or a long, sweeping underline.